

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

This pleading applies to:

William Ball v. Pfizer Inc et al, 3:06-cv-0223-CRB

Robert Willing v. Pfizer Inc et al, 3:06-cv-0225-CRB

The case of Tom Ricketts for Kathy Ricketts *only* on the case of Tom Ricketts for Kathy Ricketts et al. v. Pfizer Inc et al, 3:06-cv-4213-CRB

The case of Lawrence Deatherage for decedent Vada Deatherage *only* on Marie Nobles for decedent Mary Ellen Beard v. Pfizer Inc et al, 3:06-cv-03033-CRB

The case of Milton Rainbolt for decedent Vada Deatherage *only* on Milton Rainbolt et al. v. Pfizer Inc et al, 3:07-cv-03062-CRB

The case of Sarah Salfi as administrator for the estate of Brenda Salfi *only* on Martha Vowell et al. v. Pfizer Inc et al, 3:06-cv-00166-CRB

The case of David Seeley *only* on Wayne Adamson et al. v. Pfizer Inc et al, 3:07-cv-00288-CRB

MDL :05-cv-01699 IN RE:  
BEXTRA AND CELEBREX  
MARKETING SALES  
PRACTICES AND PRODUCT  
LIABILITY LITIGATION

STIPULATED VOLUNTARY DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED by and between the parties who have appeared in the above identified actions through their designated counsel that the cases against the Bextra/Celebrex defendants (Pfizer Inc, Monsanto Company, Pharmacia Corporation, and G.D. Searle LLC) brought by: (1) William Ball on William Ball v. Pfizer Inc et al, 3:06-cv-0223-

CRB; (2) Robert Willing on Robert Willing v. Pfizer Inc et al, 3:06-cv-0225-CRB; (3) Tom Ricketts for Kathy Ricketts only on the case of Tom Ricketts for Kathy Ricketts et al. v. Pfizer Inc et al, 3:06-cv-4213-CRB; (4) Lawrence Deatherage for decedent Vada Deatherage only on Marie Nobles for decedent Mary Ellen Beard v. Pfizer Inc et al, 3:06-cv-03033-CRB; (5) Milton Rainbolt only on Milton Rainbolt et al. v. Pfizer Inc et al, 3:07-cv-03062-CRB; (6) Sarah Salfi as administrator for the estate of Brenda Salfi only on Martha Vowell et al. v. Pfizer Inc et al, 3:06-cv-00166-CRB; and by (7) David Seeley on Wayne Adamson et al. v. Pfizer Inc et al, 3:07-cv-00288-CRB are VOLUNTARILY DISMISSED WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(a)(1). Each side will bear its own costs. If plaintiffs William Ball, Robert Willing, Tom Ricketts for Kathy Ricketts, Lawrence Deatherage for decedent Vada Deatherage, Milton Rainbolt, Sarah Salfi as administrator for the estate of Brenda Salfi, and David Seeley are to refile their actions, these plaintiffs can only do so in federal court. Plaintiffs' cases in the above styled action remain pending against Merck for Vioxx-related injuries.

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MDL :05-cv-01699 IN RE:  
BEXTRA AND CELEBREX  
MARKETING SALES  
PRACTICES AND PRODUCT  
LIABILITY LITIGATION

**ORDER**

IT IS HEREBY ORDERED that, pursuant to the terms of the parties' stipulation,

(1) William Ball on William Ball v. Pfizer Inc et al, 3:06-cv-0223-CRB; (2) Robert Willing on Robert Willing v. Pfizer Inc et al, 3:06-cv-0225-CRB; (3) Tom Ricketts for Kathy Ricketts *only* on the case of Tom Ricketts for Kathy Ricketts et al., 3:06-cv-4213-CRB; (4) Lawrence Deatherage for decedent Vada Deatherage *only* on Marie Nobles for decedent Mary Ellen Beard v. Pfizer Inc et al, 3:06-cv-03033-CRB; (5) Milton Rainbolt *only* on Milton Rainbolt et al. v.

Pfizer Inc et al, 3:07-cv-03062-CRB; (6) Sarah Salfi as administrator for the estate of Brenda Salfi only on Martha Vowell et al. v. Pfizer Inc et al, 3:06-cv-00166-CRB; and (7) David Seeley *only* on Wayne Adamson et al. v. Pfizer Inc et al, 3:07-cv-00288-CRB claims against the Bextra/Celebrex defendants (Pfizer Inc, Monsanto Company, Pharmacia Corporation, and G.D. Searle LLC) are dismissed without prejudice.

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United States District Judge Charles R. Breyer